REMARKS

In the non-final Office Action, claims 1, 4-7, 9-11, 14-17, 19, 20, 22, and 26-37 were objected to due to an informality; claims 1, 4-7, 9-11, 14-17, 19, 20, 22, 26-28, 31-33, and 35-38 were rejected under 35 U.S.C. § 102(e) as anticipated by TUROK (U.S. Patent No. 6,243,373); claims 29, 30, and 34 were allowed; and claim 39 was objected to as allowable if rewritten into independent form. Applicant respectfully traverses the objection to claims 1, 4-7, 9-11, 14-17, 19, 20, 22, and 26-37 and the rejection of claims 1, 4-7, 9-11, 14-17, 19, 20, 22, 26-28, 31-33, and 35-38 based on TUROK. Claims 1, 4-7, 9-11, 14-17, 19, 20, 22, and 26-39 remain pending.

Applicant notes with appreciation the indication that claims 29, 30, and 34 are allowable over the art of record and the indication that claim 39 would be allowable if rewritten into independent form.

The Office Action objects to claims 1, 4-7, 9-11, 14-17, 19, 20, 22, and 26-37 due to an informality. In particular, the Office Action alleges that "'first return signals' and 'second return signals' are not discloses in the specification in such a way as to reasonably convey to one skill in the relevant art" (Office Action, pg. 2). Applicant disagrees.

The phrases "first return signals" and "second return signals" refer to signals that are sent from one party/device to another party/device, such as from a callee to a caller (see, for example, page 15, lines 9-19), where the "first return signals" refer, in one implementation, to signals from the terminating circuit-switched network (e.g., element 7 in Fig. 2) to the terminating gateway computer (e.g., element 6 in Fig. 2) and the "second return signals" refer, in one implementation, to signals from the originating gateway

computer (e.g., element 3 in Fig. 2) to the originating circuit-switched network (e.g., element 2 in Fig. 2). Thus, the phrases "first return signals" and "second return signals" are supported by Applicant's specification.

For at least the foregoing reasons, Applicant respectfully requests that the objection to claims 1, 4-7, 9-11, 14-17, 19, 20, 22, and 26-37 be reconsidered and withdrawn.

Claims 1, 4-7, 9-11, 14-17, 19, 20, 22, 26-28, 31-33, and 35-38 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by TUROK. Applicant respectfully traverses this rejection.

A proper rejection under 35 U.S.C. § 102 requires that a reference teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. See M.P.E.P. § 2131. Applicant respectfully submits that TUROK does not disclose or suggest the combination of features of Applicant's claims 1, 4-7, 9-11, 14-17, 19, 20, 22, 26-28, 31-33, and 35-38.

For example, independent claim 1 recites an originating circuit-switched network for providing originating signals in response to voice input; an originating gateway computer for converting the originating signals into digital data packets; a terminating gateway computer that accepts out of band signaling and converts the digital data packets into terminating signals; a terminating circuit-switched network for providing voice output in response to the terminating signals; and a packet-switched network for transmitting the digital data packets from the originating gateway computer to the terminating gateway computer. At least one of the originating gateway computer or the

terminating gateway computer comprises a component for routing the digital data packets through the packet-switched network from the originating gateway computer to the terminating gateway computer. The terminating circuit-switched network is capable of providing first return signals to the terminating gateway computer in response to return voice input. The terminating gateway computer comprises a component for converting the first return signals into return packets of return digital data. At least one of the originating gateway computer or the terminating gateway computer comprises a component for routing the return packets through the packet-switched network from the terminating gateway computer to the originating gateway computer. The originating gateway computer comprises a component for converting the return packets into second return signals. TUROK does not disclose or suggest this combination of features.

For example, TUROK does not disclose or suggest a terminating gateway computer that accepts out of band signaling and converts the digital data packets from the originating gateway computer into terminating signals. The Office Action relies on block 508 of Fig. 5, col. 2, lines 9-12, col. 6, lines 44-55, and col. 8, lines 57-60, of TUROK for allegedly disclosing the terminating gateway computer (Office Action, page 3). Applicant submits that these sections of TUROK do not disclose, or even suggest, the recited terminating gateway computer.

Block 508 in TUROK's Fig. 5 corresponds to an Internet Call Manager. TUROK discloses that Internet Call Manager 508 is used to process incoming calls from the Internet (col. 8, lines 42-46). TUROK in no way discloses or suggests that Internet Call Manager 508 accepts out of band signaling, as required by claim 1.

At col. 2, lines 9-14, TUROK discloses:

> The transmission of digital signals over the T1 carrier may be accomplished using time division multiplexing (TDM) wherein a high bandwidth communications link, such as a 1.544 Mbit/S T1 carrier, is divided into a number of lower bandwidth communication channels, such as 64 Kbit/S channels.

This section of TUROK merely describes the transmission of digital signals over a T1 carrier. This section of TUROK in no way discloses or suggests a terminating gateway computer that accepts out of band signaling and converts the digital data packets from the originating gateway computer into terminating signals, as required by Applicant's claim 1.

Moreover, as set forth above, the Office Action alleges that TUROK's Internet Call Manager 508 is equivalent to the terminating gateway computer recited in claim 1 (Office Action, pg. 3). However, the above section of TUROK, which corresponds to TUROK's Background of the Invention section, does not mention Internet Call Manager 508. Therefore, even if this section of TUROK could reasonably be construed to disclose out of band signaling, this section of TUROK in no way discloses or suggests that TUROK's Internet Call Manager 508, which the Examiner alleges corresponds to the recited terminating gateway computer, accepts out of band signaling.

At col. 6, lines 44-55, TUROK discloses:

> Specialized computer ITS node 206 prompts the user at the calling station 202 to provide the telephone number of the desired or called aty 204. Based on the telephone number of the called party 204, specialized computer ITS node 206 provides a communication link to the called party 204. This is accomplished by the specialized computer ITS node 206 initiating a series of signalling messages over the Global Internet 214 using the TCP/IP protocol. While the specific embodiment of the present invention shown in FIG. 2 and discussed herein is described as using the

> Internet, it should be understood that the present invention may be used with any computer network in general.

This section of TUROK discloses that specialized computer ITS node 206 provides a communication link over Internet 214 by initiating a series of signaling messages. This section of TUROK in no way discloses or suggests a terminating gateway computer that accepts out of band signaling and converts the digital data packets from the originating gateway computer into terminating signals, as required by claim 1.

At col. 8, lines 57-60, TUROK discloses:

> The ICM utilizes the digital signal processing (DSP) of the Voice Resources module to sample the incoming voice data stream and convert it to messages or packets which are then transmitted over the Internet.

This section of TUROK discloses the conversion of an incoming voice data stream to messages or packets for transmission over the Internet. This section of TUROK in no way discloses or suggests a terminating gateway computer that accepts out of band signaling and converts the digital data packets from the originating gateway computer into terminating signals, as required by claim 1.

Further with respect to this feature, the Office Action alleges that "the out-of-band signaling is a separate communication channel that ITS 206 initiating over the Global Internet" (Office Action, pg. 3). At the outset, Applicant notes that the Office Action does not point to any section of TUROK that supports the allegation that TUROK's ITS node 206 initiates a separate communication channel over the Global Internet. Moreover, even assuming, for the sake of argument, that TUROK discloses ITS node 206 initiating a separate communication channel, Applicant submits that this would in no way indicate that ITS node 206 accepts out of band signaling. One skilled in the art would readily

appreciate that the phrase "out of band signaling" does not simply mean that a separate communication channel is provided. Applicant submits that TUROK does not disclose or suggest a terminating gateway computer that accepts out of band signaling and converts the digital data packets from the originating gateway computer into terminating signals, as required by claim 1.

For at least the foregoing reasons, Applicant respectfully submits that claim 1 is not anticipated by TUROK.

Claims 4-7, 9, 10, 26-28, and 31 depend from claim 1. Therefore, Applicant submits that these claims are not anticipated by TUROK for at least the reasons given above with respect to claim 1.

Independent claims 11, 22, and 38 recite features similar to features described above with respect to claim 1. Therefore, Applicant submits that these claims are not anticipated by TUROK for reasons similar to reasons given above with respect to claim 1.

Claims 14-17, 19, and 20 depend from claim 11. Applicant submits that these claims are not anticipated by TUROK for at least the reasons given above with respect to claim 11.

Claims 32, 33, and 35-37 depend from claim 22. Applicant submits that these claims are not anticipated by TUROK for at least the reasons given above with respect to claim 22.

In view of the foregoing remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 13-2491 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: May 20, 2005

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